

REMARKS/ARGUMENTS

The Final Office Action dated November 17, 2004 and Advisory Action dated February 223, 2005 have been received and carefully considered. Claims 1-5, 7-12, 14-16, 19 and 20 are pending and stand rejected. Claims 1, 8, 9, 15 and 16 have been amended. No new matter has been added. Reconsideration and withdrawal of the outstanding rejections are respectfully requested in view of the following remarks.

CLAIM REJECTIONS – 35 U.S.C. § 102(b)

Claims 1-5, 7-12, 14-16 and 19-20 were rejected under 35 U.S.C. §102(b) as being anticipated by *Gill*. It is respectfully submitted that *Gill* at least does not teach, *inter alia*, an extensible handle having “the second elongated member further including a rotatable restricting means having a plurality of slots, wherein, in order to prohibit movement in an axial direction, the restricting means is rotated so that the restricting device can not pass through the plurality of slots,” as recited in claim 1. Additionally, *Gill* does not teach a handle having “the second elongate member further including a rotatable restricting means having a plurality of slots, wherein, in order to prohibit movement in an axial direction, the restricting means is rotated so that the restricting device is not aligned with the plurality of slots,” as recited in claims 9 and 16.

Gill discloses a lifting jack for automobiles having an extension arm with a fastener which may be used to connect other longitudinally elongated tubular sections. The Examiner regards the extension arm sections 20 (as shown in FIG. 6) as corresponding to the first elongated member and second elongated member as recited in claims 1, 9 and 16. The Examiner also considers the fastening clip 30 including a depressible lug 32, which is utilized to retain extension arms 20, as corresponding to the restricting device as recited in claims 1, 9 and 16.

The lug 32 is capable of being inserted into holes 24 and 26 of the extension arms 20 to be retained therein.

As described in column 4, line 62 through column 5, line 26 of *Gill*, “The lug (32) projects through hole (26) so that the vertical side (33) of lug (32) abut against its edges. The flexible legs (31) fit inside the smaller squared end (23) and resiliently press the lug (32) of the fastening clip (30) upwards to project out of hole (26) by an amount slightly greater than the wall thickness of section (20)...The linkage of two juxtaposed sections (20) is illustrated in FIGS. 7 and 8. As first illustrated in FIG. 7, as the smaller end (23) is pushed into the larger end (22) of sections (20) the dimple (25) rides against the bevelled edge (34) of fastening clip (30) exerting a downward force on the flexible legs (31) which spread to permit the lug (32) to slide vertically downward in hole (26). When the dimple (25) completely depresses the lug (32) into the hole (26), the larger end (22) slides over the fastening clip until hole (24) is pushed over the lug (32) of the fastening clip (30). Then as shown in FIG. 8, the flexible legs (31) push the lug (32) of fastening clip (30) upwards into hole (24) where the vertical sides (33) abut against the edges of hole (24) to stop any further sliding motion in any direction. In this position, the fastening clip positively locks the sections together so that they may be pushed or pulled without separation of the sections (20).” In order to connect the two members to each other, the lug 32 is depressed by dimple 25 when the two members are pushed towards each other and “pops” out when hole 24 or 26 passes over the lug 32 thereby locking the two members together. To unlock, the lug is manually depressed so that the two members can separate. With this method, the operator’s finger may be pinched while depressing the lug, thus causing pain to the operator.

In the present invention, in order to restrict axial movement, the operator can rotate the second elongated member along with the restricting means so that the slots of the restricting means are not aligned with the restricting device. Additionally, in order to have free axial movement, the operator can rotate the second member so that the slots of the restricting means align with the restricting device and can pass therethrough. Therefore, *Gill* does not teach or

suggest an extensible handle having “the second elongated member further including a rotatable restricting means having a plurality of slots, wherein, in order to prohibit movement in an axial direction, the restricting means is rotated so that the restricting device can not pass through the plurality of slots,” as recited in claim 1. Additionally, *Gill* does not a handle having “the second elongate member further including a rotatable restricting means having a plurality of slots, wherein, in order to prohibit movement in an axial direction, the restricting means is rotated so that the restricting device is not aligned with the plurality of slots,” as recited in claims 9 and 16. Withdrawal of the rejection is respectfully requested.

Claims 2-5, 7 and 8 depend ultimately from independent claim 1 and are believed to be patentable over the cited prior art for at least the same reasons as is claim 1.

Claims 10-12 and 14-15 depend ultimately from independent claim 9 and are believed to be patentable over the cited prior art for at least the same reasons as is claim 9.

Claims 19-20 depend from independent claim 16 and are believed to be patentable over the cited prior art for at least the same reasons as is claim 16.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. If it is believed that the application is not in condition for allowance the Examiner is requested to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

BAKER & HOSTETLER LLP



Phong D. Nguyen
Reg. No. 43,833

Date: 4 - 20 - 05
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1610
Facsimile: 202-861-1783